

## **BEHAVIOR CONSULTATION II (BC2)**

### **General Description:**

Behavior Consultation II (BC2) one-on-one hourly services are provided to address serious behavior problems for people with disabilities. Interventions used by the BC2 Contractor to address problem behavior shall be based upon the principles of applied behavior analysis and focus on positive behavior supports. The BC2 Contractor provides personalized behavior consultation to families and/or staff who support people with *serious* though not potentially life threatening behavior problems that may be complicated by medical or other factors. Problems addressed by the Contractor are identified as serious, but have not been judged to be treatment resistant or refractory and may derive from multiple and complex etiological factors. The Contractor may provide consultation on behavior supports with DHS/DSPD staff who work in region offices. BC2 services are considered crisis prevention. The Contractor receives referrals for BC2 services through the DHS/DSPD Behavior Consultant Coordinator or designated region staff.

### **Behavior Supports**

1. Behavioral intervention procedures shall be in accordance with DHS/DSPD Administrative Code, Rule R539-4 a copy of which can be found at: <http://www.rules.utah.gov/publicat/code/r539/r539-004.htm>.
2. All Behavior Support Plans shall emphasize a positive approach with effective treatment designed to acquire and maintain adaptive behaviors and prevent problem behaviors.
3. Written Behavior Support Plans shall include the following information:
  - a. A summary of the Functional Behavioral Assessment:
    - i. Describing the serious problem behavior.
    - ii. Predicting the circumstances in which the problem behavior is most likely to occur.
    - iii. Identifying the function of the problem behavior.
  - b. Baseline data.
  - c. Behavioral objective written in measurable and observable terms.
  - d. Data collection procedures that measure progress toward the Behavior Support Plan objectives.
  - e. Behavioral intervention procedures clearly written in detail to ensure consistent implementation by staff/supporters addressing the following areas:
    - i. Prevention procedures designed to decrease the need for the problem behavior.
    - ii. Planned responses and consequences for when the problem behavior occurs, this includes safety issues and efforts to minimize reinforcement for the problem behavior.
    - iii. Teaching or increasing replacement behaviors.
    - iv. When appropriate, the Behavior Support Plan shall also address generalization, maintenance, and fading procedures.

- f. When Level II and Level III intrusive procedures are used, include a rationale for the use of intrusive procedures and a plan to discontinue the intrusive intervention over time. (See R539-4-1-3 definitions.)
- g. Name and title of the Contractor/Employee who developed the Behavior Support Plan and name of the employee(s) responsible for supervising the implementation of the plan.
- h. Dates for review and plan revisions in addition to required monthly summary.
- i. Graphed data of the primary problem behavior(s) updated at least every 3 months for visual analysis.
- j. The written approved Behavior Support Plan shall be available to all persons involved in implementing or supervising the Plan.

### **Eligibility Description**

BG SPINAL CHORD GENERAL FUND

SG SELF DETERM NON-MEDICAID

SM WAIVER-MEDICAID

### **Population Served**

The person shall be found eligible under the DHS/DSPD eligibility criteria and shall be receiving other services or shall be on the DHS/DSPD waiting list. All persons served shall have special behavioral needs such as aggression, self-injurious, property destruction, non-compliance, eating and toileting problems. The BC2 Contractor shall focus on people with mental retardation or related condition or on adults with brain injury. BC2 services may be provided at the person's home, a programmatic setting, or other naturally occurring environment in the community.

### **Contractor's Qualifications**

The Contractor must be enrolled as an approved Medicaid Provider with the Utah Department of Health and agree to allow DHS/DSPD to bill Medicaid on its behalf for covered Medicaid services included in the rate paid by DHS/DSPD to the Contractor. The Contractor must also agree to participate in any DHS/DSPD provided Medicaid training. The Contractor must be certified by DHS/DSPD as an authorized provider of services to persons with disabilities in accordance with Utah Code § 62A-5-103.

<http://www.le.state.ut.us/~code/TITLE62A/62A05.htm>.

The Contractor shall have all applicable licenses or certifications as prescribed in Utah Administrative Code, Rule R501 <http://rules.utah.gov/publicat/code/r501/r501.htm> to operate and provide the particular type of services being offered and comply with insurance requirements and any local ordinances or permits

The Contractor shall agree to be actively engaged in training provided by DHS/DSPD in the provision of positive behavioral supports. The Contractor shall successfully complete a training course in the provision of positive behavioral supports prescribed by

DHS/DSPD and approved by the State Medicaid Agency and shall successfully pass a learning assessment at the conclusion of the course.

### **Staff to Person Ratios**

Behavioral Consultation shall be one to one (1:1) service.

### **Staff Qualifications and Training**

The Contractor's BC2 staff shall possess certification as a Board Certified Associate Behavior Analyst (for more information on certification, see [www.bacb.com](http://www.bacb.com)) and possess at least two years experience in the provision of services to persons with disabilities; or, possess a post-graduate degree of at least a Masters level in a behaviorally related field, granted by an accredited American or Canadian institute of higher learning and have any combination of training and experience of at least one year working with people who have mental retardation, related conditions or brain injury. The Contractor shall be certified by DHS/DSPD as an authorized provider of services to persons with disabilities in accordance Utah Code § 62A-5-103.

<http://www.le.state.ut.us/~code/TITLE62A/62A05.htm>.

The Contractor's staff must pass a Bureau of Criminal Identification (BCI) background check through the DHS, Office of Licensing and have a record of the BCI results in the staff record as required by Utah Administrative Code, Rule R501-14.

<http://rules.utah.gov/publicat/code/r501/r501-14.htm>.

BC2's shall agree to be actively engaged in training in positive behavioral supports provided by DHS/DSPD and shall successfully complete a learning assessment upon completion of training.

### **Record Keeping and Written Documentation**

In order to assure the person's needs are being met and to assist DHS/DSPD in its efforts to evaluate the effectiveness of services, a copy of the following information shall be forwarded to DHS/DSPD within 30 days of its completion and shall be kept on file by the Contractor:

1. Functional Behavior Assessment
2. Behavior Support Plan
3. Follow-up Summary/Evaluation
4. Monthly summaries of the BC2 services

In order to document the provision of BC2 services, the Contractor shall develop and maintain sufficient written documentation to support the following:

1. Number of hours worked and activity;
2. Applicable licensure and certification;
3. Documentation of training(s) provided with topic, dates, names of attendees; and,

4. An approved referral as indicated on DHS/DSPD Form 1056 in the case of those receiving supports from DHS/DSPD, and on an alternative written document in the case of those awaiting services that assures compliance with DHS/DSPD eligibility requirements and can be compared with invoices.

#### **Person Assessment and Treatment Plan**

1. The Contractor shall maintain written documentation and shall comply with Administrative Code, Rule R539-4.  
<http://rules.utah.gov/publicat/code/r539/r539.htm>.
2. Support Plans Objectives and Outcomes. The Contractor shall be expected to establish person objectives and track outcomes. DHS/DSPD defines a successful outcome for these services as a decrease in the behavior problem being addressed and the maintenance or increase in the frequency of occurrence of the replacement behavior.

#### **Limitations:**

1. Services provided by the Contractor cannot duplicate other supports and services available to the person. In addition, they shall be cost efficient and demonstrate effectiveness for the intended use.
2. The Contractor may not provide direct care for persons or transport persons for whom they are simultaneously providing behavioral consultation.
3. Behavior Support Plans developed by the Contractor are prohibited from including any of the following:
  - a. Corporal punishment, examples: slapping, hitting, and pinching;
  - b. Demeaning speech to a person that ridicules or is abusive;
  - c. Seclusion -- defined as locked confinement in a room;
  - d. Use of electric devices or other painful stimuli to manage behavior;
  - e. Denial or restriction of access to assistive technology; except where removal prevents injury to self, others, or property; or,
  - f. Withholding of meals as a consequence or punishment for problem behavior.
4. Behavior Support Plans, which include any Level II or Level III intrusive behavior intervention procedures, shall require DHS/DSPD review and approval. (Reference Administrative Code, Rule R539-4  
<http://rules.utah.gov/publicat/code/r539/r539.htm>). BC2's can provide follow-up services for behavioral plans developed and monitored by BC3 contractors.
5. This service shall not be available to persons who might otherwise receive this service through the Medicaid State Plan or any other funding source.

6. Anyone providing BC2 services who is separated from employment as a BC2 provider *for cause* shall be immediately de-certified by DHS/DSPD and shall not be eligible for reinstatement of his/her certification to provide BC2 services. However, should the separation from employment as a BC2 provider for cause be reversed by a court or agency of appropriate jurisdiction, then such certification to provide BC2 services will be immediately restored by DHS/DSPD.